

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

)
DARVETTE SMITH, NATALIE)
HODOROVYCH, ERIN BOX, and BLAKE)
BREZINSKY, individually and on behalf of) Judge John Z. Lee
all others similarly situated,)
Plaintiffs,) Magistrate Judge Cole
) Case No. 1:11-cv-01773
v.)
FAMILY VIDEO MOVIE CLUB, INC.,)
Defendant.)

)

**JOINT MOTION TO EXTEND THE DEADLINE TO FILE A MOTION FOR
PRELIMINARY APPROVAL AND RESET STATUS HEARING DATES**

Plaintiffs, Darvette Smith, Natalie Hodorovych, Erin Box, and Blake Brezinsky (“Plaintiffs”) and Defendant Family Video Movie Club, Inc, by their attorneys jointly move for entry of an order extending the deadline to file a motion for preliminary approval and continuing the next status hearing, and in support thereof, state as follows:

1. On June 5, 2017, the parties reiterated to the Court that they had reached an agreement in principle on a proposed settlement that would resolve all claims in this matter. At that time the Parties respectfully requested until July 10, 2017, to prepare and execute a formal settlement agreement and file a motion for preliminary approval, as well as all related settlement papers. The Court granted the parties’ request.

2. Since that time, Plaintiffs’ counsel has completed the labor-intensive process of reviewing Family Video’s records, including data contained in approximately 30,000 pages of payroll and time card documents, many of which are in individual PDF and paper form. The

parties also have drafted a proposed settlement agreement, postcard notice, and long-form notice. The parties, however, have not reached finalized some of the details of the settlement agreement, and are awaiting client approval on other terms. The parties expect that they will soon reach an accord on all of the settlement agreement terms and are cooperatively working to obtain competitive bids from claims administrators.

3. The parties are confident they will be able to resolve any remaining open issues and sign the settlement papers over the next 21 days, and anticipate being able to file preliminary settlement papers no later than August 10, 2017.

4. Under the circumstances, the parties jointly request that the Court continue the status hearing currently scheduled for July 20, 2017 at 9:00 a.m. until the hearing date when the motion for preliminary approval is presented.

Dated: July 10, 2017

Respectfully submitted,

GIRARD GIBBS, LLP

By: /s/ Eric H. Gibbs

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CERTIFICATE OF SERVICE

I hereby certify that, on July 10, 2017, I caused the foregoing *Joint Motion to Extend the Deadline to File a Motion For Preliminary Approval and Reset Status Hearing Dates* to be served on all counsel of record via CM/ECF filer for the U.S. District Court for the Northern District of Illinois.

/s/ Eric H. Gibbs